

PAULET, J.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE RICE COMPANY,

Plaintiff,

vs.

EXPRESS SEA TRANSPORT CORPORATION,

Defendant.

:
:
: Index No.: 07 CIV 7077 CV/H
:
: **ORDER DIRECTING CLERK TO**
: **ISSUE PROCESS OF MARITIME**
: **ATTACHMENT AND**
: **GARNISHMENT**
:
:
:

Upon reading and filing the Verified Complaint of the Plaintiff herein, verified on the 9th day of August, 2007, and the Affirmation of Andrew R. Brown, sworn to on the 9th day of August, 2007, that to the best of his information and belief Defendant Express Sea Transport Corporation cannot be found within this District for the purpose of an attachment under Supplemental Rule B(1), and the Court having found that the conditions required by Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist;

It is on this 9th day of August 2007;

O R D E R E D that the Clerk of this Court is directed forthwith to issue the Process of Maritime Attachment and Garnishment for seizure of all assets of the Defendants as described therein in the possession, custody or control of, or being transferred through,

JPMorgan Chase Bank NA, Citibank NA, American Express Bank Ltd., Bank of America, Bank of New York, Deutsche Bank, HSBC, BNP Paribas, Wachovia Bank NA, ABN Amro, Atlantic Bank of NY, Standard Chartered Bank, Bank of Communications, The Bank of East Asia (USA) NY, Bank of China, Shanghai Commercial Bank Ltd., Bank of Tokyo-Mitsubishi, Bank of India, Barclays Bank, Calyon, Credit Suisse, Rabobank, Wells Fargo Bank, US Bank, UBS, Nordea Bank Finland PLC,

and/or any other garnishee(s) on whom a copy of the Order of Attachment may be served, in the amount of \$4,946,170.13 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

O R D E R E D that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further order of the Court; and it is further

O R D E R E D that any person claiming an interest in the property attached, garnished and arrested pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further

O R D E R E D that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day; and it is further

ORDERED that pursuant to Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure each garnishee may consent, in writing, to accept service by any other means.

Dated: New York, New York
August 9, 2007


UNITED STATES DISTRICT JUDGE

A CERTIFIED COPY
J. MICHAEL McMAHON, CLERK

BY 
DEPUTY CLERK